

1 WILLIAM J. SCHROEDER, WSBA NO. 7942

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3 Paine, Hamblen, Coffin,

The Honorable Ronald B. Leighton

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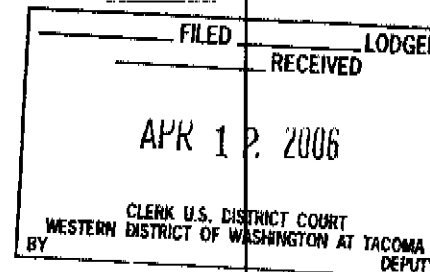
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05-CV-05602-ORD

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA



H. STANLEY GASS and UTE LINDSAY
GASS, husband and wife,

) No. C0 5-5602 RBL

) STIPULATED AGREEMENT

Plaintiffs,

vs.

ALBERT F. SCHLOTFELDT and
CHRISTOPHER E. ROY and DUGGAN,
SCHLOTFELDT & WELCH, PLLC,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff H. STANLEY GASS, on behalf of himself and his marital community, and Albert F. Schlotfeldt, Christopher E. Roy, and Duggan, Schlotfeldt & Welch, PLLC (collectively "Defendants"), by and through their respective counsel, as follows:

STIPULATED AGREEMENT AND
MOTION FOR DISMISSAL - 1

PAINE, HAMBLEN, COFFIN, BROOKE & MILLER LLP
717 WEST SPRAGUE AVENUE, SUITE 1200
SPOKANE, WASHINGTON 99201-3505 PHONE (509) 455-6000

1 1. On March 31, 2006, the Honorable Ronald B. Leighton granted Defendants' Motion
2 for Summary Judgment;

3 2. On April 3, 2006, Defendants filed a Motion for Reasonable Attorney Fees pursuant
4 to Fed.R.Civ.P. 11 and noted the Motion for April 28, 2006;

5 3. The parties wish to enter into a binding agreement that resolves all disputes between
6 them. To that end, the parties agree as follows:

7 (a) That Defendants shall and do hereby withdraw their Motion for
8 Reasonable Attorney Fees Pursuant to Fed.R.Civ.P. 11, filed April 3,
9 2006;

10 (b) That H. Stanley Gass, on behalf of himself and his marital
11 community, hereby releases and forever discharges any and all past
12 or present claims, causes of action or demands of any nature
13 whatsoever, which were or could have been brought in or are related
14 to either the above-captioned matter or in the legal proceedings
15 commenced in the Superior Court of Clark County, Washington
16 under Cause No. 04 2 01931 5;

17 (c) That H. Stanley Gass, on behalf of himself and his marital
18 community, will not appeal or otherwise seek judicial review of the
19 Order on Motions for Summary Judgment, entered by the Honorable
20 Judge Ronald B. Leighton in the above-captioned matter on
21 March 31, 2006; and

(d) That H. Stanley Gass, on behalf of himself and his marital community, shall not file, lodge or otherwise pursue any claims or complaints against the Defendants or Olson Engineering, Inc. in any forum of any kind or nature. If, in violation of this agreement, such claims or complaints are made, upon presentment of this agreement to the forum in which such claims or complaints are filed or lodged said complaints or claims shall be dismissed;

4. That in the event of any breach of the above agreement, Defendants shall be entitled to seek damages and renew their Motion for Reasonable Attorney Fees Pursuant to Fed.R.Civ.P. 11;

5. That in the event it becomes necessary for Defendants to enforce the terms of the above agreement, whether in this action or any subsequent action, Defendants shall be entitled to an award of their reasonable costs and attorney fees incurred in connection therewith.

DATED this 11th day of April, 2006.

DATED this 11th day of April, 2006.

PAINE, HAMBLIN, COFFIN,
BROOKE & MILLER, LLP

By: /s/ H. STANLEY GASS

H. Stanley Gass, *Pro Se*
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Vancouver, Washington 98668
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By: /s/ WILLIAM J. SCHROEDER

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IT IS SO ORDERED THIS 12th DAY OF April, 2006

[Signature]
UNITED STATES DISTRICT COURT JUDGE

STIPULATED AGREEMENT AND
MOTION FOR DISMISSAL - 3

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